

**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26161796**

**Decision No. CIC/SG/C/2011/001519/17702**  
**Complaint No. CIC/SG/C/2011/001519**

**Complainant** : Mr. Krishna Rao Patro  
S/o Late Appa Rao Patro  
R/o Chakrapani Street  
Icchapuram-532312

**Respondent** : Ms. Annie Joseph  
(For & On behalf of)  
News Broadcasting Standards Authority  
101-103, Paramount Tower  
C-17, Community Centre  
Janakpuri, New Delhi-110058

**Facts arising from the Complaint:**

Mr. Krishna Rao Patro had filed a Complaint under Section 18 of the RTI Act with the Commission against the Respondent stating that he had filed a RTI Application dated **13/07/2011** asking for certain information for which a reply was received from the Respondent vide letter dated 23/08/2011. Aggrieved by the response of the Respondent the Complainant filed the present Complaint with the Commission on **25/10/2011**. On this basis, the Commission registered the Complaint and issued a notice to both the parties seeking evidence regarding whether the said Respondent organization is a public authority or not for the purpose of the RTI Act.

Subsequently, the Commission received submissions from both the Respondent and the Complainant vide letters dated 13/01/2012 and 15/01/2012. On perusal of the same it has been observed by the Commission that it appears that the Respondent organisation is not a public authority as defined under Section 2(h) of the RTI Act. Section 2(h) of the RTI act provides-

**Section2 (h):** "public authority" means any authority or body or institution of self-government established or constituted—

- 1 (a) by or under the Constitution;
- 2 (b) by any other law made by Parliament;
- 3 (c) by any other law made by State Legislature;
- 4 (d) by notification issued or order made by the appropriate Government,

and includes any—

- 1 (i) body owned, controlled or substantially financed;

2 (ii) non-Government organisation substantially financed,  
*directly or indirectly by funds provided by the appropriate Government;*

The Respondent organisation clearly does not fall under clause (a) to (d). Furthermore, it has not been shown to have been substantially financed or controlled or owned by the government. Hence, the Complainant has no legally enforceable right under the RTI Act as the respondent is not a public authority under the RTI Act and is therefore under no obligation to reply to the Complainant's RTI Application."

**Decision:**

**The Complaint is dismissed.**

The Respondent is not a public authority as defined under Section 2 (h) of the RTI Act.

**Shailesh Gandhi**  
**Information Commissioner**  
**14 March 2012**

*(In any correspondence on this decision, mention the complete decision number.)(SP)*